TAB

2 April 1956

MEMORANDUM FOR RECORD

SUBJECT: Meeting With Representatives of the National Park Service

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1.   This date, [ ] and the undersigned
met with Mr. Edward Kelley and Mr. Harry Thompson of the National
Park Service in a meeting at their office attended by about ten other
representatives of NPS.

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2.   Our purpose in requesting the meeting was to consider two
points: (a) securing an approval of the transfer to us of the access
road through the Langley site, (b) discussing the mechanics of trans-
ferring to NPS Parkway funds we now have available. On the second
point, [ ] engaged in some exploratory discussion with
[ ] Deputy Finance Officer; and it was agreed that our Comptroller
will contact their Finance Officer, Mr. Montgomery.

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3.   NPS seemed to have no general objection to transferring
the road; but Mr. Kelley, in particular, seemed determined to get in
exchange the maximum return for which we could be squeezed. NPS stated
that the road concerned was the only right of way so far considered
for access from Route 123 to the Parkway between Chain Bridge and the
proposed Cabin John Bridge. [ ] suggested that a suitable
access might be provided by using as a right of way a dirt road
presently traversing the western edge of the property we have requested
from the Bureau of Public Roads. Mr. Thompson suggested as a compromise
measure that NPS might be willing to release that portion of the access
road within the boundaries of the tract we are getting from BPR while
retaining the strip from our southern boundary to Route 123. The
thought, apparently, is that an access road could come from 123 north
to our property, and bend west to connect with the road suggested
by [ ] (although we did not mention the fact, this would involve
boundaries encircling the land of the Mesdames Scattergood and Thorne).

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4.   We were asked if the $8,500,000 available under our author-
ization would be available for acquiring a new right of way for an access
road. I expressed the view that, by notifying the Congressional Com-
mittee voting on our appropriation, we might secure their acquiescence
to NPS expending a part of these funds for that purpose. We were also
asked if part of the $46,000,000 could be used for the purpose since it

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specifically provides for access roads. We replied that we understood that those access roads were to be on our own property and that, in addition, we had nothing to spare from the $46,000,000.

5. The question of the cost of surfacing an access road was raised, but we suggested that the problem existed presently; and, even if we in no way improved it, we were not worsening it.

6. We advised Mr. Thompson that we wished to go before the Congress by 15 May and that we, therefore, hoped to have a letter from NPS by 15 April releasing the desired property to us. He stated that his staff would first have to determine what practicable alternative rights of way existed for an access road between 123 and the Parkway, but that he thought that this determination could be made and the release granted to us prior to 15 April. The release he contemplates, however, would not be for all of the desired property but limited as suggested in paragraph 3.

7. The General Counsel of NPS, Judge Knox, stated that he had some question as to the jurisdiction of GSA to transfer the desired property to us. He referred to Section 3 (d) of the Federal Property and Administrative Services Act of 1949 (63 Stat. 377) which provides "The term 'property' means any interest in property of any kind except (1) the public domain and lands reserved or dedicated for national forest, or national parkway purposes;..." He stated that in a previous case where the NPS desired to dispose of the Baltimore Parkway lands to private purchasers, GSA had declined to treat the property as excess and dispose of it because of the quoted provision. He agreed that the present situation, where there is to be no disposition outside the Government but merely a transfer of control between Government agencies, might present a different picture. He suggested that if GSA refused to accomplish the transfer desired here, special legislation by the Congress might be needed. We stated we would clarify this question with GSA and, if necessary, with the Attorney General and thanked him for the suggestion.

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Assistant General Counsel

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cc: [   ]/NPS

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